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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**CORRECTED DEFENDANTS'
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL THEIR
OPPOSITION TO WAYMO'S
MOTION TO COMPEL
PRODUCTION OF DOCUMENTS
AND RESPONSES TO EXPEDITED
INTERROGATORIES AND
EXHIBITS THERETO**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal their Opposition to Waymo’s Motion to Compel Production of Documents and Responses to Expedited Interrogatories and Exhibits Thereto. Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal	Designating Party
Opposition to Waymo’s Motion to Compel (“Opposition”)	Highlighted Portions	Plaintiffs
Declaration of Sylvia Rivera (“Rivera Declaration”)	Highlighted Portions	Plaintiffs
Exhibits 1-3	Entire Documents	Plaintiffs
Exhibit 5	Highlighted Portions	Defendants
Exhibit 6	Highlighted Portions	Defendants

The highlighted portions of the Opposition and Rivera Declaration and the entireties of Exhibits 1, 2, and 3 were designated “Highly Confidential – Attorneys’ Eyes Only” by Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this material under seal in accordance with Paragraph 14.4 of the Protective Order. (Declaration of Michelle Yang in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Yang Decl.”) ¶ 3.)

The highlighted portions on page 6 of Exhibit 5 contain highly confidential information regarding business agreement terms, including information about the structure of a business agreement. This highly confidential information is not publicly known, and their confidentiality is strictly maintained. If this information were to be released to the public, Defendants’ competitors and counterparties would have insight to how Defendants structured its business

1 agreements, which would allow them to tailor their own business negotiation strategy.

2 Defendants' competitive standing could significantly be harmed. (Yang Decl. ¶ 4.)

3 The highlighted portions on page 4 of Exhibit 6 contain highly confidential information
 4 regarding financial and compensation terms. This information is not publicly known, and their
 5 confidentiality is strictly maintained. This information could be used by competitors to Uber's
 6 detriment, by using this information to gain an advantage over Uber in employment negotiations
 7 in a competitive market for talent. Disclosure of this information would allow competitors to
 8 tailor their employment offers during negotiations. If such information were made public, Uber's
 9 competitive standing could be significantly harmed. (Yang Decl. ¶ 5.)

10 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
 11 documents at issue, with accompanying chamber copies.

12 Defendants served Waymo with this Administrative Motion to File Documents Under
 13 Seal on July 14, 2017.

14 For the foregoing reasons, Defendants request that the Court enter the accompanying
 15 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and
 16 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –
 17 ATTORNEYS' EYES ONLY."

18 Dated: July 14, 2017

MORRISON & FOERSTER LLP

20 By: /s/Arturo J. González
 21 ARTURO J. GONZÁLEZ

22 Attorneys for Defendants
 23 UBER TECHNOLOGIES, INC.
 24 and OTTOMOTTO LLC
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